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Original Memorial

Trustees

of

Scenic and Historic Places and Objects.

now

The American Scenic and Historic Preservation Society,

1895

TRUSTEES

....OF....

SCENIC AND HISTORIC PLACES AND OBJECTS.

Memorial

....TO THE....

LEGISLATURE OF THE STATE OF NEW YORK.

American Scenic and Historic Preservation Society

Act of Incorporation and By-Laws.

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TRUSTEES

OF

SCENIC AND HISTORIC PLACES AND OBJECTS.

OFFICERS.

President:
ANDREW H. GREEN.

Vice-President:
JOHN M. FRANCIS.

Treasurer:
EDWARD P. HATCH.

Secretary:
JOHN WINFIELD SCOTT.

Executive Committee:
THE PRESIDENT, EX OFFICIO.
HORACE PORTER, WILLIAM H. WEBB,
WALTER S. LOGAN, HENRY E. HOWLAND.

Finance Committee:
CHAUNCEY M. DEPEW, SAMUEL D. BABCOCK,
ELBRIDGE T. GERRY.

Original

MEMORIAL.

by Andrew H. Green.

To the Honorable 1895

The Legislature of the State of New York:

The Memorial of the undersigned respectfully represents that:

The present aspect of the financial affairs of the State may well be contemplated with satisfaction. With no debt of consequence, with no occasion for creating one, with a moderate rate of taxation, and with the reasonable expectation that this will be further reduced by the contributions of those deriving great profits from franchises granted by the State, the six millions of her people certainly have reason for congratulation, despite existing business disturbances.

These conditions, however, if we may predict what it is to be from what has been, are sure to invite schemes ostensibly for the public benefit, but really for private gain, that will encourage extravagance, deplete the treasury, and again rear a monument of debt to be paid by an increase of the burden of taxation.

The ends sought to be accomplished by this memorial make no demand upon the treasury; its purpose is in the opposite direction, that of economy rather than of expenditure, and it relates to a class of objects that will be likely at this time to command very general interest and cordial co-operation, and over which, in the interest of the people, the State may well extend the ægis of its protection.

Within the domain of the State, from Montauk to Chautauqua and from the Atlantic to the St. Lawrence, are numerous places memorable by conflicts during the half-century of the

French and Indian wars of the Colonial era, and others by the more recent stern conflicts of the Revolution.

While patriotic sentiments and traditions still keep alive the memory of these events by means of which we are what we are, the visible evidences that are an essential aid to preserve them for coming generations are fast disappearing.

Turning to more peaceful scenes, we find within the boundaries of the State a remarkably varied topography, comprehending landscapes of world-wide celebrity, as well as localities of deep interest and of peculiar beauty.

There readily recur the catalogue of its majestic rivers and its incomparable lake areas, its mountain surfaces, its unparalleled water spectacles, its picturesque islands, and its extensive ocean shores alternating with beetling cliffs, beaches where the billows rise and sink, and shifting dunes whirled about with every gust of rugged winds.

Areas of primitive natural beauty are being seized upon for private uses and for profitable enterprises that are not unlikely to exclude the public from their enjoyment, and especially is this the case in the vicinity of the large cities.

It would seem a fitting time that [conservative methods be devised by means of which objects of historic value, localities where patriotic struggles have taken place, where peculiar attractive natural scenery obtains, or made interesting by association with illustrious personages, should be rescued from the grasp of private speculation and preserved for public enjoyment, subject only to such restrictions as make for the public pleasure.

The State has already entered upon a somewhat similar policy in the acquirement of the Niagara Reservation and the Adirondack forests.

To this end I would respectfully suggest a continuing organization of substantial, respected, and well-known citizens, selected without reference to political predilections, upon whom should be conferred adequate power and authority—

1. To acquire, hold, maintain, improve, and administer historic places and objects and picturesque areas of natural scenery.

2. To receive by devise or other conveyance such places,

areas, and objects in fee, or upon such trusts as may be agreed upon by the donors and the Association.

3. To accept, hold, and administer such lands and other property as may from time to time be entrusted to its care by the State.

4. To act, jointly or otherwise, with such persons as may be appointed by other States for the attainment of like purposes or objects for which this Association was designed, whenever those purposes and objects can only be secured by the joint action of two States, or when the subject of such action lies within the jurisdiction of two States.

5. From time to time to report to the Legislature, by bill or otherwise, such recommendations and suggestions as are pertinent to the objects of the Association.

All property acquired otherwise than from the State to be the property of the Association, but no dividend to be made or any pecuniary profit to accrue to its members. The title and ownership of whatever property belonging to the State or hereafter acquired by the moneys of the State, that comes under the management of the Association, to remain forever the property of the State and subject to the control of the Legislature.

It not infrequently occurs that an individual or a number of persons desire to establish a memorial of a friend or a relative or of some especially worthy example or event. What more fitting than the conveyance, to an organization especially created to take charge of it, of some area of land or common of striking characteristics for public use and enjoyment, accompanied with sufficient pecuniary means to insure its proper care ?

Furthermore, it would be directly in the line of public economy to provide, in any law that may be enacted to accomplish those purposes, that in some form the powers of the various commissions, each now having charge of State property held for the public pleasure, as distinguished from eleemosynary, charitable, punitory, or administrative uses, should gradually be absorbed under the management of the proposed Association.

This may be done easily and without offence by a simple provision that when a vacancy occurs in the membership of any existing commission, by expiration of present term of office

or otherwise, it shall be filled by a member of the Association herein proposed, and to be appointed by it ; and when the terms of all the members of any existing commission have expired, the subject of their care is to be transferred to that of the Association.

The members or managers of said Association to give their services without compensation and to have no pecuniary interest in its affairs.

Of the sixty counties of the State there is not one without some area or object in which public interest, local or more general, is not enlisted in a greater or less degree; and not a hamlet where a spirit of patriotic sentiment may not be developed by a judicious movement to preserve the memorials and traditions of the past, and to save them from effacement and disfigurement.

It is hoped that the authorities in charge of the important topographical survey of the State now in progress by the united agency of the State and of the National Government, will take pains to indicate on their maps places of historic interest and of attractiveness.

It cannot be but that the intelligent administration of these objects and areas will tend to quicken a spirit of patriotism to act as an example and stimulus to a higher standard of care of public grounds in the villages and towns throughout the State, and to cultivate attachment to localities—a most desirable influence to be fostered.

A bill is herewith submitted to give effect to the suggestions above mentioned, cast, it is hoped, in the form that will be found obnoxious to no serious objection.

ANDREW H. GREEN.

New York, January, 1895.

ACT OF INCORPORATION.

CHAPTER 166.

AN ACT to incorporate the trustees of scenic and historic places and objects, and to provide for the care of certain property of the state.

Became a law March 26th, 1895, with the approval of the Governor. Passed; three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

SECTION 1. The following persons:

William H. Webb,
Samuel D. Babcock,
John M. Francis,
Andrew H. Green,
Charles A. Dana,
Oswald Ottendorfer,
Chauncey M. Depew,
Horace Porter,
William Allen Butler,
Mornay Williams,
George G. Haven,
Elbridge T. Gerry,
Walter S. Logan,
Henry E. Howland,
Edward P. Hatch,
William L. Bull,
James M. Taylor,
J. Hampden Robb,
Ebenezer K. Wright,
Alexander E. Orr,
William H. Evarts,
Wager Swayne,
Charles R. Miller,
Frederick W. Devoe,
Elbridge S. Spaulding,
Frederick S. Tallmadge,
Thomas V. Welch,
S. Van Rensselaer Cruger,
Frederick J. de Peyster,
Morgan Dix,
John A. Stewart,
Charles C. Beaman,

Francis Vinton Greene,
Peter A. Porter,
M. D. Raymond,
George N. Lawrence,
Benjamin F. Tracy,
Augustus Frank,
Charles Z. Lincoln,
John Hudson Peck,
Sherman S. Rogers,
William Hamilton Harris,
Lewis Cass Ledyard,
Alexander B. Crane,
John Hodge,
Robert L. Fryer,
J. S. T. Stranahan,
Samuel Parsons, Jr.,
Charles A. Hawley,
Henry E. Gregory,
Frederick D. Tappen,
Henry J. Cookinham,
Henry R. Durfee,
H. Walter Webb,

and such others as shall become associated with them in the manner and upon the terms and conditions prescribed by the by-laws of the corporation hereby created, are hereby constituted a body politic and corporate by the name of trustees of scenic and historic places and objects, with all the powers and subject to the provisions of the third title of the eighteenth chapter of the revised statutes, except as otherwise provided by this act, and shall be capable of purchasing, taking, receiving and holding by gift, grant, devise, bequest, or otherwise, in trust or perpetuity, real and personal estate for the uses and purposes of said corporation, the value of which shall not exceed one million dollars.

SEC. 2. The objects of said corporation shall be to acquire by purchase, gift, grant, devise, or bequest, historic objects or memorable or picturesque places in the state, hold real and personal property in fee or upon such trusts as may be agreed upon between the donors thereof and said corporation, and to improve the same; admission to which shall be free to the public under such rules for the proper protection thereof as said corporation may prescribe, and which said property shall be exempt from taxation.

SEC. 3. The affairs and business of said corporation shall be conducted by a board of not less than thirteen nor more than twenty-five trustees, a majority of whom shall be a quorum for the transaction of business. The fifteen persons first named in the first section of this act shall constitute the first board of trustees, shall establish the by-laws of the corporation, and

shall continue to hold office until others are elected in their stead, as provided by the said by-laws. Vacancies in the board of trustees may be filled by the remaining trustees until otherwise provided for in the said by-laws.

SEC. 4. None of the trustees or members of said corporation shall receive any compensation for services, or be pecuniarily interested directly or indirectly in any contract relating to the affairs of said corporation, nor shall said corporation make any dividend or division of its property among its members, managers, or officers.

SEC. 5. The board of trustees shall annually, at a time to be fixed by the by-laws, elect or appoint from their number the following officers: a president, vice-president, and treasurer, who shall hold office for one year and until their respective successors are elected or appointed, and shall perform such duties as are provided by the by-laws. The board of trustees may also appoint a secretary and define his duties, and shall have the power to manage, transact, and conduct all business of the corporation, to prescribe the terms of admission of its members, and to appoint and fix the compensation of, and remove its employees at pleasure. The said corporation shall have no capital stock, and shall have no power to sell, mortgage, or otherwise encumber any of its property.

SEC. 6. Said corporation shall annually make to the legislature a statement of its affairs, and from time to time report to the legislature, by bill or otherwise, such recommendations as are pertinent to the objects for which it was created, and may act jointly or otherwise with any persons appointed by any other state for similar purposes as those intended to be accomplished by this act, whenever the object to be secured or purpose sought to be accomplished is within the jurisdiction of this and any other state or can only be attained by such joint action.

SEC. 7. This act shall take effect immediately.

The following section was in the bill as originally prepared, but was stricken out before it was finally passed :

Whenever there shall be a vacancy in the trustees, commissioners, or managers of any commission or other bodies appointed to the charge of any property of the state other than for eleemosynary, charitable, administrative, or punitory purposes, and of the character of that mentioned in the second section of this act, the same shall be filled by one of the trustees of the corporation hereby created, to be selected by said trustees; and when the terms of office of all the members or any of said commission, trustees, or managers now appointed to take charge of such state property shall have expired, then its charge and management shall wholly devolve upon the corporation hereby created.

TRUSTEES

OF

Scenic and Historic Places and Objects.

NEW YORK, April 6th, 1895.

A meeting of the Trustees of Scenic and Historic Places and Objects was held this day at the Park Bank in the City of New York.

Present :

William H. Webb,
J. M. Francis,
Horace Porter,
Walter S. Logan,
Henry E. Howland,
Andrew H. Green,
William Allen Butler,
Edward P. Hatch,
Mornay Williams.

A note was received from Mr. Oswald Ottendorfer saying he was unable to be present.

On motion, Mr. Webb was elected Chairman of the meeting, and Mr. Howland Secretary.

The proposed By-Laws were read by Mr. Green, and adopted section by section. On motion, the By-Laws were adopted as a whole as follows.

Mr. Butler moved that the Board proceed to the election of a President. The motion was adopted.

On motion of Gen. Porter, Mr. Andrew H. Green was unanimously elected President.

Mr. John M. Francis was elected Vice-President.

Mr. Edward P. Hatch was elected Treasurer.

Mr. John Winfield Scott was elected Secretary.

Gen. Horace Porter was elected Chairman of the Executive Committee.

Mr. Walter S. Logan was elected on the Executive Committee.

Mr. William H. Webb was elected a member of the Executive Committee.

Mr. Henry E. Howland was elected a member of the Executive Committee.

Mr. Depew, Mr. Babcock, and Mr. Gerry were elected the Finance Committee.

HENRY E. HOWLAND,
Secretary of Meeting.

BY-LAWS.

ARTICLE I.

SECTION 1. The office and place of business of the "Trustees of Scenic and Historic Places and Objects" shall be in the City of New York, where all meetings shall be held unless otherwise ordered.

SEC. 2. The regular meetings of the Trustees shall be held on the first Wednesday in the months of February, May, August, and November.

The first meeting of the members of the Corporation for the election of Trustees and for the transaction of such other business as may come before it, shall be held at the Park Bank in the City of New York on the first Wednesday of November, 1895, at 3:30 P.M., and the annual meeting for these purposes shall be held on the first Wednesday in May of each year, notice of the hour and place of which shall be fixed by the Trustees and published in one daily newspaper in the City of New York.

SEC. 3. Other meetings of the Trustees or Corporation may be held upon the call of the President or upon the written request of three Trustees. A majority of the Trustees shall constitute a quorum for the transaction of business, and at meetings of the Corporation the members present shall constitute a quorum for the transaction of business.

Notices of meetings of Trustees shall be sent to each Trustee at least forty-eight hours before the time of meeting.

ARTICLE II.

SECTION 1. The officers of the Corporation shall be a President, Vice-President, and Treasurer, all of whom shall be Trustees,

and shall be elected or appointed annually at the meeting of the Trustees on the first Wednesday in November.

The first President, Vice-President, and Treasurer shall be elected at the meeting at which these By-Laws are adopted, and shall hold office for one year, or until others are elected in their stead. There shall be a Secretary, who shall hold office at the pleasure of the Board.

SEC. 2. The President shall preside at all meetings of the Trustees and of the Corporation; he shall appoint all Committees and be, *ex officio*, a member of all standing Committees, except where otherwise expressly relieved from such service, and have a general supervision of the affairs of the Corporation.

SEC. 3. In the absence of the President, the Vice-President shall perform the duties and possess the powers of the President. In the absence of both President and Vice-President a Chairman *pro tempore* shall be chosen.

SEC. 4. The Treasurer shall receive, collect, and hold subject to the order of the Board of Trustees all moneys, securities, and other property of the Corporation, pay all bills when approved by the Trustees or the Executive Committee, and shall render a report of its finances at each meeting of the Board of Trustees, and an annual report at the annual meeting of the Corporation.

SEC. 5. The Secretary shall keep the records of the Corporation and of the Board of Trustees and of Committees, issue all notices, and, when directed by the Board, affix the seal of the Corporation.

ARTICLE III.

SECTION 1. The order of business at meetings shall be as follows, unless otherwise ordered:

1. Roll call.
2. Reading the minutes of the meetings not previously read.
3. Election of Trustees and Officers.
4. Communications.
5. Reports of Committees.
6. Report of the Treasurer.
7. Miscellaneous business.

Reports and resolutions shall be in writing. The yeas and

nays shall be called on all resolutions authorizing the expenditure of money, and on all other questions when requested by one Trustee.

ARTICLE IV.

SECTION 1. There shall be two Standing Committees, an Executive Committee and a Finance Committee. The Executive Committee shall consist of four Trustees, in addition to the President. They shall have general management of the affairs of the Corporation, subject to the approval of the Board, and shall meet once a month. Three of their number shall constitute a quorum.

SEC. 2. The Finance Committee shall consist of three members, and shall have authority at any time to inspect the books and accounts of the Treasurer, give directions to him, and exercise a general supervision over the property of the Corporation.

SEC. 3. The persons named in the first section of the act creating the Corporation, and such others as shall become associated with them in the manner and upon the terms and conditions of these By-Laws, shall be members of this Corporation.

ARTICLE V.

MEMBERSHIP.

SECTION 1. Any member of the Corporation may propose persons for membership. The name and place of residence of every person proposed shall be submitted to the Board or to the Executive Committee, and such person, when approved by the Board or by said Committee, shall be a member of the Corporation so long as such person shall pay to the Treasurer the dues, which shall be ten dollars annually in advance.

SEC. 2. Any member of the Corporation may become a Life Member by payment to the Treasurer, at one time, of the sum of one hundred dollars.

SEC. 3. Any member of the Corporation may become a Patron by giving real or personal property of the value of five

hundred dollars or more, and thereafter such Patrons shall be exempt from payment of annual dues.

SEC. 4. Neither the Corporation nor any of its Trustees or officers shall contract any debt which, with debts existing, shall exceed in amount the moneys then in the treasury.

ARTICLE VI.

AMENDMENTS.

SECTION 1. Amendments to these By-Laws may be proposed in writing at any meeting of the Trustees, and adopted by unanimous consent of the Trustees present. Action on a proposed amendment may be postponed until a subsequent meeting, in which case the Secretary shall, with the notice of the next meeting, send a copy of the proposed amendment, stating that it will be brought up for action at such meeting, at which meeting it may be passed by a majority vote.

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